

**UNITED STATES OF AMERICA** : **DATE FILED:** \_\_\_\_\_

**v.** : **CRIMINAL NO.** \_\_\_\_\_

**ANDREW GARAPPO** : **VIOLATION: 18 U.S.C. § 1341**  
(mail fraud - 1 count)

**COUNT ONE**

At all times material to this information:

1. The City of Philadelphia Water Department was a department of the City of Philadelphia and served the Greater Philadelphia region by providing integrated water, wastewater, and storm water services. The Water Department's primary mission was to plan for, operate, and maintain both the infrastructure and the organization necessary to purvey high-quality drinking water; to provide an adequate and reliable water supply for all household, commercial, and community needs; and to sustain and enhance the region's watersheds and quality of life by managing wastewater and storm water effectively.
2. The Water Department also was responsible for the issuance of Water Service Permits to plumbers who did plumbing work in the City of Philadelphia. Water Service Permits were required for all street openings, footways, and ferrules and ranged from \$20 to \$320 for most of these permits, depending on the type of work to be performed.
3. Defendant ANDREW GARAPPO was a registered master plumber and

an employee of Nello Construction, which was a business that performed plumbing work in the City of Philadelphia. GARAPPO was required to obtain Water Service Permits from the Water Department to perform plumbing work on behalf of his business in the City of Philadelphia.

4. Kathleen Brooks, charged elsewhere, was employed by the Water Department since approximately July 3, 1989, in the position of Clerk Typist II. As such, she was its agent and was authorized to issue Water Service Permits to registered master plumbers for plumbing work to be done in the City of Philadelphia.

5. From in or about October 1, 1998 through in or about October 1, 2002, defendant

#### **ANDREW GARAPPO**

devised and intended to devise a scheme to defraud the City of Philadelphia and his customers and obtain money and property by means of false and fraudulent pretenses, representations, and promises.

#### **MANNER AND MEANS**

It was part of the scheme that:

7. Defendant ANDREW GARAPPO paid cash kickbacks to Kathleen Brooks.

8. Kathleen Brooks, in exchange for receiving the cash kickbacks, issued Water Service Permits from the City of Philadelphia Water Department to defendant ANDREW GARAPPO.

9. Kathleen Brooks kept the cash kickbacks and thus, the City of Philadelphia was defrauded of the approximately \$27,750.00 that defendant ANDREW GARAPPO should have paid for his Water Service Permits.

10. On or about December 31, 2000, in the Eastern District of Pennsylvania and elsewhere, defendant

**ANDREW GARAPPO,**

for the purpose of executing the scheme described above, and attempting to do so, and aiding and abetting its execution, knowingly caused to be delivered by mail according to the directions thereon, an invoice to R.E. Pierson Construction Company, P.O. Box 430, Woodstown, New Jersey, 08098-0430 that falsely represented the cost of the plumbing work GARAPPO had performed, because it included the cost of a Water Service Permit, when, in fact, GARAPPO had paid a kickback to Kathleen Brooks instead of paying for the permits required for that job.

In violation of Title 18, United States Code, Sections 1341 and 2.

**NOTICE OF ADDITIONAL FACTORS**

**THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:**

In committing the offense charged in this information, the defendant MITCHELL  
GORDON:

- a. Committed an offense in which the loss exceeded \$10,000, as described in  
U.S.S.G. § 2B1.1(b)(1)(C).

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**PATRICK L. MEEHAN**  
**United States Attorney**